

FILED
Clerk
District Court

JAN 18 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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15 Attorneys for Plaintiffs

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17 IN THE UNITED STATES DISTRICT COURT

18 FOR THE

19 COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

20 JOHN BRADY BARRINEAU,

21 Plaintiff,

22 v.

23 PRO MARINE TECHNOLOGY and CABRAS)
24 MARINE CORPORATION,

25 Defendants.

) CV NO. 05-0028

)
)
) **PLAINTIFF'S INITIAL DISCLOSURE**
) **STATEMENT PURSUANT TO LR**
) **16.2CJ(d)**

) Date: November 30, 2005

) Time: 8:30 a.m.

) Judge: Munson

26 **COMES NOW** Plaintiff John Brady Barrineau, by and through his counsel of record, William
27 Fitzgerald and Bruce Berline, and submits the following disclosure statement pursuant to Fed. R. Civ.
28 P. 26(a)(1) and LR 16.2CJ(d):

29 **I. PERSONS LIKELY TO HAVE DISCOVERABLE INFORMATION**

30 1. Plaintiff John Brady Barrineau, c/o Bruce Berline, Esq.

ORIGINAL

2. Julie Barrineau, c/o Bruce Berline, Esq., has knowledge about Plaintiff's injuries and the effect of the injuries upon Plaintiff.
3. Ben Matanabe - PMT employee, has knowledge of events on board the M/V Cajun the day of the injury, has knowledge of PMT's operations and procedures.
4. Kenneth Collard - PMT employee, has knowledge of events on board the M/V Cajun the day of the injury, has knowledge of PMT's operations and procedures.
5. Carey Rose - PMT employee, has knowledge of events on board the M/V Cajun the day of the injury, has knowledge of PMT's operations and procedures.
6. Chris Shelton - PMT employee, has knowledge of events on board the M/V Cajun the day of the injury, has knowledge of PMT's operations and procedures.
7. Vance- last name unknown, PMT employee, has knowledge of events on board the M/V Cajun the day of the injury, has knowledge of PMT's operations and procedures.)
8. Connel - last name unknown, PMT employee, and has knowledge of events on board the M/V Cajun the day of the injury, has knowledge of PMT's operations and procedures..
9. Doctor Pamela J. Hofer - Hofer Clinic, P.O. Box 5208, UOG Station, Mangilao, Guam, 96923,(671) 734-0382, has knowledge of Plaintiff's injuries.
10. Doctor Janet McCullough, 323-32211, P.O. Box 500745 Saipan, has knowledge of Plaintiff's injuries.
11. Doctor William Hay, CNMI Department of Public Health, Community Guidance Center, 323-6560, has knowledge of Plaintiff's injuries.
12. Employees of the U.S. Navy's recompression chamber located in Guam
13. Employees of Cabras Marine, names unknown at this time, who were on board the M/V Cajun at the time Plaintiff was injured.
14. Employees of the United States Coast Guard, including the employees of the Marine Safety Office, specifically, without limitation, Lt. Donna Leoce and a gentleman by the last name of Delgado. These people may have knowledge regarding the dive accident and following investigation.

1 Plaintiff reserves the right to amend and supplement this list if additional information becomes
2 available during the course of discovery, pursuant to Fed. R. Civ. P. 26(e). The subjects of information
3 are provided to disclose the general topics of information to which that person may testify. Such
4 information is not to be construed as an exhaustive, exclusive list nor intended to limit the scope of the
5 individual's testimony if called as a witness at trial.

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7 **II. LISTING, DESCRIPTION AND LOCATION OF DOCUMENTS, DATA**
8 **COMPILATIONS AND TANGIBLE THINGS**

- 9
10 1. Medical records and medical bills - Plaintiff is presently in the process of obtaining all
11 relevant medical records presently located at Commonwealth Health Center, Garapan,
12 Saipan, Harmon Doctors Clinic, Guam, Guam Memorial Hospital, Guam, CNMI
13 Community Guidance Center, Saipan, MRI Group, Guam, Janet McCollough, Saipan,
14 and the Hofer Clinic, Guam, and other medical care providers which provided care for
15 Plaintiff.
16 2. Coast Guard Documents - In Plaintiff's possession and attached hereto.
17 3. Various records of Plaintiff including dive certifications which are in plaintiff's
18 possession attached hereto.
19 4. Plaintiff's payroll records and tax records of which Plaintiff is in the process of
20 obtaining.
21 5. The U.S. Navy Diving Manual available online.

22 **III. DESCRIPTION AND COMPUTATION OF DAMAGES**

23 General damages - as a result of his injury, Plaintiff has suffered irreparable injury to his brain.

24 Plaintiff suffered physical pain and mental anguish and estimates general damages to be 500
25 dollars per day. Plaintiff is presently expected to live to approximately 78 years of age. Accordingly,
26 general damages amount to approximately 7,847,500.00 dollars.

27 Special Damages - total medical expenses to date are approximately \$10,000.00 and will
28 increase, however expert opinion is needed in order to determine the total amount of expected medical

1 expenses.

2 Plaintiff is unable to continue work as a commercial diver and thus has lost wages in the
3 approximate amount of three thousand to four thousand dollars per month since he was injured. Expert
4 opinion will be needed to provide additional amounts

5 **IV. INSURANCE AGREEMENTS**

6 Other than insurance policies carried by Defendant PMT, Plaintiff is unaware of any other
7 policies that might provide insurance coverage.
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9 **V. EXPERT TESTIMONY**

10 No experts have been retained by Plaintiff to date.

11 Dated this 18th day of January, 2006.

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